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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/931,657

08/16/2001

Andrew Charles David Hay

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2844

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10/27/2006

HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

NGUYEN, CAO H

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/931,657

Applicant(s)

HAY ET AL.

Examiner

Cao (Kevin) Nguyen

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 05/16/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Pereira et al. (US Patent No. 5,809, 203).

Regarding claim 1, Pereira discloses security apparatus comprising means for representing to a user plurality of components of a platform [..the security procedures may define, audit policies, security policies, and detection policies; see abstract and col. 4, lines 45-62]; means for presenting to a user the interactions among the plurality of components [..security administrator refers having rights to oversee or adjust security; see col. 3, lines 25-52]; means for allowing the user to modify a security setting associated with at least one of the plurality of components [..data security incident has occurred, a security response action, and updating the security procedures defined; see col. 7, lines 5-67].

Regarding claim 2, Pereira discloses wherein the security metric is presented to a user as a representational model of software and/or hardware functionality of the computer entity (see col. 8, lines 16-55).

Regarding claim 3, Pereira discloses according to claim 1, further comprising input means for allowing a user to interact with the modifying means to modify the security setting (see col. 9, lines 18-51).

Regarding claim 4, Pereira discloses further comprising means for establishing possible modifications to the security setting based upon the received security metric (see col. 10, lines 18-63).

Regarding claim 5, Pereira discloses, wherein the level of complexity of the presented is selectable by a user metric (see col. 11, lines 1-54).

Regarding claim 6, Pereira discloses security apparatus comprising representing to a user plurality of components of a platform [..the security procedures may define, audit policies, security policies, and detection policies; see abstract and col. 4, lines 45-62]; representing to a user the interactions among the plurality of components [..security administrator refers having rights to oversee or adjust security; see col. 3, lines 25-52]; allowing the user to modify a security setting associated with at least one of the plurality of components [..data security incident has occurred, a security response action, and updating the security procedures defined; see col. 7, lines 5-67].

Regarding claim 7, Pereira discloses wherein representing the plurality of component comprises representing software and/or hardware functionality of the computer platform (see col. 8, lines 16-55).

Regarding claim 8, Pereira discloses further comprising presenting to the user possible modifications to the security setting (see col. 12, lines 8-58).

Regarding claim 9, Pereira discloses, further comprising allowing the user to select a level of complexity of representing to the user the plurality of components (see col. 13, lines 3-57).

Regarding claims 10 and 14, Pereira discloses a memory to store computer-readable code; and a processor operatively coupled to said memory and configured to implement said computer-readable code, said computer-readable code being configured to represent to a user a plurality of computer components, represent to the user interactions among the plurality of computer components [col. 14, lines 6-64]; and allow the user to modify a security setting associated with at least one of the computer components [..the administrator may modify the current setting of any selected security setting dialog box; see col. 15, lines 26-64].

Regarding claims 11 and 15, Pereira discloses wherein representing the plurality of computer components comprises representing software and/or hardware functionality of a computer (see col. 16, lines 5-50).

Regarding claims 12 and 16, Pereira discloses, wherein the computer-readable code is further configured to present the user possible modifications to the security setting (see col. 17, lines 10-52).

Regarding claims 13 and 17, Pereira discloses, wherein the computer-readable code is further configured to allow the user to select a level of complexity of representing to the user the plurality of computer components (see col. 18, lines 53-67).

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

10/25/06